

No. 10

MICHIGAN SENATE

DAILY CALENDAR

TUESDAY, FEBRUARY 5, 2008
10:00 a.m.

MOTIONS

_____ 1 _____

SB 43 Sen. Gleason
Torts; product liability; immunity from liability for drugs that have been approved by federal food and drug administration; rescind.
Amends sec. 2946 of 1961 PA 236 (MCL 600.2946).
Motion to discharge Committee on Judiciary pending.

_____ 2 _____

HB 4044 Rep. Simpson
Torts; product liability; immunity from liability for drugs that have been approved by federal food and drug administration; rescind.
Amends sec. 2946 of 1961 PA 236 (MCL 600.2946).
Motion to discharge Committee on Judiciary pending.

MESSAGES FROM THE GOVERNOR

_____ 3 _____

SB 436 Sen. Jelinek
Appropriations; supplemental; multidepartment supplemental for fiscal year 2007; provide for.
Creates appropriation act.
Approved by Governor, with line item vetoed, Wednesday, June 6, 2007.
For veto message, see Senate Journal No. 57 of 2007, page 847.
Vetoed line item pending.

_____ 4 _____

SB 222 Sen. Brown
Appropriations; agriculture; department of agriculture; provide for fiscal year 2007-2008.
Creates appropriation act.
Approved by Governor, with line items vetoed, Wednesday, October 31, 2007.
For veto message, see Senate Journal No. 116 of 2007, page 2121.
Vetoed line items pending.

_____ 5 _____

SB 229 Sen. Pappageorge
Appropriations; general government; appropriations for certain state departments and agencies; provide for fiscal year 2007-2008.
Creates appropriation act.
Approved by Governor, with line items vetoed, Wednesday, October 31, 2007.
For veto message, see Senate Journal No. 116 of 2007, page 2122.
Vetoed line items pending.

MESSAGES FROM THE GOVERNOR

_____ 6 _____

SB 232 Sen. Hardiman
Appropriations; human services; department of human services; provide for fiscal year 2007-2008.
Creates appropriation act.
Approved by Governor, with line items vetoed, Wednesday, October 31, 2007.
For veto message, see Senate Journal No. 116 of 2007, page 2122.
Vetoed line items pending.

_____ 7 _____

SB 238 Sen. Garcia
Appropriations; state police; department of state police; provide for fiscal year 2007-2008.
Creates appropriation act.
Approved by Governor, with line items vetoed, Wednesday, October 31, 2007.
For veto message, see Senate Journal No. 116 of 2007, page 2123.
Vetoed line items pending.

_____ 8 _____

SB 240 Sen. Hardiman
Appropriations; transportation; department of transportation; provide for fiscal year 2007-2008.
Creates appropriation act.
Approved by Governor, with line items vetoed, Wednesday, October 31, 2007.
For veto message, see Senate Journal No. 116 of 2007, page 2123.
Vetoed line items pending.

MESSAGES FROM THE HOUSE

_____ 9 _____

SB 53 Sen. Whitmer
Income tax; city; contributions to a city for specified purposes; provide for check-off option.
Amends 1964 PA 284 (MCL 141.501 - 141.787) by adding sec. 10 to ch. 1 & sec. 36 to ch. 2.
I.E. House, August 21, 2007.
Returned from House with House substitute (H-1), Wednesday, August 22, 2007; laid over under the rules.
Committee recommended I.E.

MESSAGES FROM THE HOUSE

10

HB 4120 Rep. Bauer
Income tax; city; contributions to a city for specified purposes; provide for check-off option.
Amends 1964 PA 284 (MCL 141.501 - 141.787) by adding sec. 10 to ch. 1 & sec. 36 to ch. 2.
I.E. House, February 27, 2007.
I.E. Senate, March 28, 2007.
Returned from House with House substitute (H-1) to Senate substitute (S-2), Wednesday, August 22, 2007; laid over under the rules.

11

SB 511 Sen. Jelinek
Appropriations; supplemental; multidepartment supplemental for fiscal year 2007; provide for.
Creates appropriation act.
I.E. House, November 6, 2007.
Returned from House with House substitute (H-3), Wednesday, November 7, 2007; laid over under the rules.

12

HB 4507 Rep. Ward
Elections; scheduling; school board elections; require to be held in November.
Amends secs. 302 & 644g of 1954 PA 116 (MCL 168.302 & 168.644g) & adds sec. 642c.
Returned from House with House substitute (H-2) to Senate substitute (S-6) Tuesday, November 27, 2007; laid over under the rules.

13

SB 388 Sen. Cassis
State; escheats; application of unclaimed property act to gift cards; clarify.
Amends secs. 2 & 15 of 1995 PA 29 (MCL 567.222 & 567.235).
I.E. House, November 28, 2007.
Returned from House with House substitute (H-2), Thursday, November 29, 2007; laid over under the rules.
Committee recommended I.E.

14

SB 868 Sen. Kuipers
Retirement; legislative; graded premium for new legislators; provide for.
Amends secs. 50b, 75 & 79 of 1957 PA 261 (MCL 38.1050b et seq.) & adds sec. 79a.
I.E. House, December 13, 2007.
Returned from House with House substitute (H-1), Thursday, December 27, 2007; laid over under the rules.
Committee recommended I.E.

15

SB 92 Sen. Basham
Environmental protection; permits; liquid industrial waste; exempt fats used to produce fuels.
Amends secs. 12101, 12102, 12103, 12105, 12107, 12111, 12112 & 12113 of 1994 PA 451 (MCL 324.12101 et seq.).
I.E. House, January 16, 2008.
Returned from House with House substitute (H-1), Thursday, January 17; laid over under the rules.
Committee recommended I.E.

THIRD READING OF BILLS

16

SB 591 Sen. Kuipers
Torts; product liability; liability of successor corporation for asbestos claims; enact limits.
Amends 1961 PA 236 (MCL 600.101 - 600.9947) by adding ch. 30.
Reported by Committee on Judiciary.
Senate substitute (S-3).
For Senate amendment, see Senate Journal No. 8, page 110.
Committee recommended I.E.

17

HB 4246 Rep. Steil
Local government; intergovernmental affairs; intergovernmental transfers of functions and responsibilities; revise contents of contracts.
Amends sec. 4 of 1967 (Ex Sess) PA 8 (MCL 124.534).
I.E. House, May 25, 2007.
House substitute (H-2).
Reported by Committee on Local, Urban and State Affairs.
Senate substitute (S-1).
Committee recommended I.E.
Defeated, Wednesday, September 12, 2007; motion to reconsider vote pending.

18

HB 4266 Rep. Opsommer
Local government; intergovernmental affairs; intergovernmental transfers of employees and responsibilities; revise contents of contracts.
Amends sec. 5 of 1967 (Ex Sess) PA 7 (MCL 124.505).
I.E. House, May 25, 2007.
House substitute (H-2).
Reported by Committee on Local, Urban and State Affairs.
Senate substitute (S-1).
Committee recommended I.E.

19

SB 559 Sen. Kuipers
Administrative procedure; rules; cost benefit analysis regarding departmental rule change; require as part of the request for rule-making.
Amends sec. 39 of 1969 PA 306 (MCL 24.239).
Reported by Committee on Government Operations and Reform.
Senate substitute (S-1).
For Senate amendment, see Senate Journal No. 66 of 2007, page 995.
Committee recommended I.E.

20

HB 4506 Rep. Ward
Elections; school; technical amendments to revised school code concerning school board elections; provide for.
Amends secs. 4, 5 & 614 of 1976 PA 451 (MCL 380.4 et seq.).
I.E. House, May 22, 2007.
Returned from House as requested, Tuesday, January 22.
Motion to suspend rules pending.

THIRD READING OF BILLS

21

SB 786 Sen. Kuipers
Civil procedure; civil actions; limitation on recovery amount allowed in small claims suits; revise.
Amends sec. 8401 of 1961 PA 236 (MCL 600.8401).
Reported by Committee on Judiciary.
Senate substitute (S-1).
Committee recommended I.E.

22

SB 955 Sen. Richardville
Criminal procedure; sentencing guidelines; sentencing guidelines for crime of damaging or destroying a war memorial monument; establish.
Amends sec. 16s, ch. XVII of 1927 PA 175 (MCL 777.16s).
Reported by Committee on Judiciary.
Senate substitute (S-1).
Committee recommended I.E.

23

SB 1009 Sen. Cassis
Business tax; other; exemption of foreign person under certain circumstances from tax; provide for.
Reported by Committee on Finance.
Senate substitute (S-1).
For Senate amendments, see Senate Journal No. 9, page 118.
Committee recommended I.E.

GENERAL ORDERS

24

SB 275 Sen. Whitmer
Courts; juries; exemption for nursing mothers from jury duty; provide for.
Amends sec. 1307a of 1961 PA 236 (MCL 600.1307a).
Reported by Committee on Judiciary.
Committee recommended I.E.

25

SB 471 Sen. Allen
Liquor; licenses; application process for on-premises or quota license when unavailable in jurisdiction; clarify.
Amends sec. 521a of 1998 PA 58 (MCL 436.1521a).
Reported by Committee on Economic Development and Regulatory Reform.
Committee recommended I.E.

26

HB 4597 Rep. Gillard
Natural resources; hunting; promotion of; provide for on department of natural resources controlled land.
Amends sec. 504 of 1994 PA 451 (MCL 324.504).
I.E. House, May 3, 2007.
House substitute (H-1).
Reported by Committee on Natural Resources and Environmental Affairs.
Committee recommended I.E.

GENERAL ORDERS

27

SB 282 Sen. Thomas
Education; curricula; physical education requirement; revise.
Amends sec. 1502 of 1976 PA 451 (MCL 380.1502).
Reported by Committee on Health Policy.
Senate substitute (S-1).
Committee recommended I.E.

28

HB 5151 Rep. Bieda
Single business tax; other; sourcing of receipts for mortgage companies; clarify.
Amends sec. 53 of 1975 PA 228 (MCL 208.53).
I.E. House, October 11, 2007.
House substitute (H-1).
Reported by Committee on Finance.
Committee recommended I.E.

29

SB 364 Sen. Jacobs
Economic development; commercial redevelopment; corridor improvement authority act; modify.
Amends secs. 2, 5, 6, 9, 18, 20, 22, 23 & 27 of 2005 PA 280 (MCL 125.2872 et seq.).
Reported by Committee on Economic Development and Regulatory Reform.
Senate substitute (S-4).
Committee recommended I.E.

30

HB 5100 Rep. Mayes
Economic development; renaissance zones; renewable energy facility; include agricultural crops in definition.
Amends sec. 3 of 1996 PA 376 (MCL 125.2683).
I.E. House, October 3, 2007.
For House amendment, see House Journal No. 82 of 2007, page 1379.
Reported by Committee on Economic Development and Regulatory Reform.
Senate substitute (S-1).
Committee recommended I.E.

31

HB 4220 Rep. Espinoza
Public employees and officers; ethics; school board member volunteer service in school district; allow under certain conditions.
Amends sec. 3 of 1978 PA 566 (MCL 15.183).
I.E. House, March 8, 2007.
House substitute (H-1).
Reported by Committee on Education.
Senate substitute (S-1).
Committee recommended I.E.

32

HB 5034 Rep. Sheltrown
Agriculture; fertilizer; "agricultural use"; define.
Amends sec. 8501 of 1994 PA 451 (MCL 324.8501).
I.E. House, October 18, 2007.
Reported by Committee on Agriculture.
Senate substitute (S-1).
Committee recommended I.E.

GENERAL ORDERS

33

HB 5035 Rep. Mayes

Agriculture; fertilizer; approval for ordinance regarding use of agricultural fertilizer; require by Michigan commission of agriculture.

Amends sec. 8517 of 1994 PA 451 (MCL 324.8517).

I.E. House, October 18, 2007.

Reported by Committee on Agriculture.

Committee recommended I.E.

34

SB 385 Sen. Barcia

Public utilities; electric utilities; requirement for utilities to produce a certain portion of electricity for sale through renewable sources; provide for.

Creates new act.

Committee on Energy Policy and Public Utilities discharged, Tuesday, December 4, 2007.

35

SB 212 Sen. Birkholz

Natural resources; Great Lakes; Great Lakes-St. Lawrence river basin water resources compact; ratify.

Amends 1994 PA 451 (MCL 324.101 - 324.90106) by adding pt. 342.

Reported by Committee on Natural Resources and Environmental Affairs.

Senate substitute (S-6).

Committee recommended I.E.

36

SB 858 Sen. Van Woerkom

Natural resources; Great Lakes; Great Lakes-St. Lawrence river basin water resources compact; amend safe drinking water act to implement.

Amends sec. 4 of 1976 PA 399 (MCL 325.1004).

Reported by Committee on Natural Resources and Environmental Affairs.

Senate substitute (S-2).

Committee recommended I.E.

37

SB 170 Sen. Clark-Coleman

Children; guardians; relative guardianship assistance act; establish.

Creates new act.

Reported by Committee on Families and Human Services.

Senate substitute (S-2).

Committee recommended I.E.

38

HB 5143 Rep. Shelton

Military affairs; other; reference to "Michigan emergency volunteers"; revise to "Michigan homeland security volunteers".

Amends sec. 251 of 1967 PA 150 (MCL 32.651).

I.E. House, October 9, 2007.

Reported by Committee on Homeland Security and Emerging Technologies.

Committee recommended I.E.

GENERAL ORDERS

39

SB 427 Sen. Kuipers

Public utilities; electric utilities; procedure for access to future capacity and energy needs; create.

Amends title & sec. 6j of 1939 PA 3 (MCL 460.6j) & adds sec. 6q.

Committee on Energy Policy and Public Utilities discharged, Thursday, January 24.

40

SB 947 Sen. Patterson

Public utilities; other; 21st century energy plan; provide for.

Amends sec. 10q of 1939 PA 3 (MCL 460.10q); adds secs. 10dd, 10ee, 10ff & 11 & repeals sec. 11 of 1939 PA 3 (MCL 460.11).

Committee on Energy Policy and Public Utilities discharged, Thursday, January 24.

41

SB 1000 Sen. Birkholz

State financing and management; purchasing; requirement for state to purchase a certain percentage of renewable energy; provide for.

Amends 1984 PA 431 (MCL 18.1101 - 18.1594) by adding sec. 257.

Committee on Energy Policy and Public Utilities discharged, Thursday, January 24.

42

SB 1040 Sen. Kahn

Income tax; credit; credit for residential use of a qualified energy program; provide for.

Amends 1967 PA 281 (MCL 206.1 - 206.532) by adding sec. 253.

Committee on Energy Policy and Public Utilities discharged, Thursday, January 24.

43

SB 1041 Sen. Richardville

Public utilities; consumer services; "green energy" programs; require electric suppliers to provide option to customers.

Amends 1939 PA 3 (MCL 460.1 - 460.10cc) by adding sec. 10dd.

Committee on Energy Policy and Public Utilities discharged, Thursday, January 24.

44

SB 865 Sen. Sanborn

Civil procedure; statute of limitations; statute of limitations and statute of repose for actions against architects, engineers, and construction contractors; revise.

Amends secs. 5805 & 5839 of 1961 PA 236 (MCL 600.5805 & 600.5839).

Reported by Committee on Judiciary.

Senate substitute (S-3).

Committee recommended I.E.

GENERAL ORDERS

45

SB 1061 Sen. Sanborn
Insurance; other; captive insurance companies; regulate.
Amends title of 1956 PA 218 (MCL 500.100 - 500.8302)
& adds ch. 46, 47 & 48.
Reported by Committee on Banking and Financial Institutions.

46

SB 1062 Sen. Sanborn
Business tax; other; taxation of certain insurance companies; exclude.
Amends sec. 235 of 2007 PA 36 (MCL 208.1235).
Reported by Committee on Banking and Financial Institutions.

RESOLUTIONS

47

SCR 22 Sen. Bishop
A concurrent resolution to request the State Officers Compensation Commission to recommend a 5 percent reduction in salaries of the members of the Legislature, the Governor, the Lieutenant Governor, the Attorney General, and the Secretary of State the next time the commission meets and to urge the commission to ensure that none of its future recommendations exceed the average increase in state employee pay.
Returned from House with House substitute (H-5), Tuesday, January 22; laid over under the rules.
Adoption pending.

COMMITTEE REPORTS

48

SB 843 Sen. Sanborn
Labor; health and safety; promulgation of rules regarding workplace ergonomics; prohibit.
Amends 1974 PA 154 (MCL 408.1001 - 408.1094) by adding sec. 17.
Reported by Committee on Economic Development and Regulatory Reform.
Committee recommended I.E.
Refer to Committee of the Whole pursuant to Rule 3.701.

49

HB 4684 Rep. Accavitti
Liquor; other; serving alcohol to an individual who is visibly intoxicated; clarify.
Amends secs. 707, 801, 901, 906, 1015 & 1025 of 1998 PA 58 (MCL 436.1707 et seq.).
I.E. House, June 19, 2007.
Reported by Committee on Economic Development and Regulatory Reform.
Senate substitute (S-4).
Committee recommended I.E.
Refer to Committee of the Whole pursuant to Rule 3.701.

COMMITTEE REPORTS

50

SB 1038 Sen. Cassis
Business tax; other; technical amendments to definition of gross receipts; provide for.
Amends sec. 111 of 2007 PA 36 (MCL 208.1111).
Reported by Committee on Finance.
Senate substitute (S-2).
Committee recommended I.E.
Refer to Committee of the Whole pursuant to Rule 3.701.

51

SB 1051 Sen. Gilbert
Business tax; other; definition of "commercial domicile" for financial institutions; exclude Puerto Rico.
Amends sec. 261 of 2007 PA 36 (MCL 208.1261).
Reported by Committee on Finance.
Committee recommended I.E.
Refer to Committee of the Whole pursuant to Rule 3.701.

52

SB 1052 Sen. Jansen
Business tax; other; definition of foreign operating entity; exclude Puerto Rico.
Amends sec. 109 of 2007 PA 36 (MCL 208.1109).
Reported by Committee on Finance.
Committee recommended I.E.
Refer to Committee of the Whole pursuant to Rule 3.701.

53

SB 1053 Sen. Richardville
Business tax; other; elect to include certain person in the combined filing of a unity business group; allow.
Amends sec. 511 of 2007 PA 36 (MCL 208.1511).
Reported by Committee on Finance.
Senate substitute (S-1).
Committee recommended I.E.
Refer to Committee of the Whole pursuant to Rule 3.701.

54

SB 1054 Sen. Pappageorge
Business tax; other; definition of business activity and business income; clarify for partnerships and exclude income not related to a trade or business.
Amends sec. 105 of 2007 PA 36 (MCL 208.1105).
Reported by Committee on Finance.
Senate substitute (S-1).
Committee recommended I.E.
Refer to Committee of the Whole pursuant to Rule 3.701.

55

SB 1056 Sen. Prusi
Business tax; other; definition of state; exclude Puerto Rico.
Amends sec. 115 of 2007 PA 36 (MCL 208.1115).
Reported by Committee on Finance.
Committee recommended I.E.
Refer to Committee of the Whole pursuant to Rule 3.701.

COMMITTEE REPORTS

56

SB 1058 Sen. Kahn

Business tax; other; relief during transition period for penalties associated with the payment of estimated taxes; provide for.

Amends sec. 501 of 2007 PA 36 (MCL 208.1501).

Reported by Committee on Finance.

Senate substitute (S-1).

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

57

SB 962 Sen. Sanborn

Traffic control; driver license; document verification and license issuance standards for federal recognition; require.

Amends secs. 40b, 208c, 303, 307, 310, 314, 811 & 812 of 1949 PA 300 (MCL 257.40b et seq.) & adds secs. 30c, 310f & 310g.

Reported by Committee on Transportation.

Senate substitute (S-1).

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

58

SB 963 Sen. Stamas

State; identification cards; minimum document requirements and issuance standards for federal recognition; include.

Amends secs. 1, 1a, 2 & 8 of 1972 PA 222 (MCL 28.291 et seq.) & adds secs. 2a & 2b.

Reported by Committee on Transportation.

Senate substitute (S-1).

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

59

SB 965 Sen. Pappageorge

Criminal procedure; sentencing guidelines; sentencing guideline for crime of fraudulent certification or statement in applying for enhanced driver license or enhanced official state identification card; establish.

Amends sec. 11b, ch. XVII of 1927 PA 175 (MCL 777.11b).

Reported by Committee on Transportation.

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

60

SB 966 Sen. Brown

State; identification cards; personal identification cards; revise requirements for applications.

Amends secs. 1a & 8 of 1972 PA 222 (MCL 28.291a & 28.298) & adds sec. 9a.

Reported by Committee on Transportation.

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

COMMITTEE REPORTS

61

SB 964 Sen. Gilbert

Traffic control; driver license; motor vehicle code; revise to include federal hemisphere travel initiative.

Creates new act.

Reported by Committee on Transportation.

Senate substitute (S-1).

Refer to Committee of the Whole pursuant to Rule 3.701.

SCHEDULED MEETINGS

Appropriations, Senate/House - Thursday, February 7, 11:00 a.m., House Appropriations Room, 3rd Floor, Capitol Building (373-6960)

Subcommittees -

Community Health Department - Thursdays, February 14, February 21 and February 28, 1:00 p.m., and March 13, 2:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-2768)

Environmental Quality Department - Tuesdays, February 5 (CANCELED) and February 12, 3:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

Higher Education - Tuesday, February 19, 1:00 p.m., Michigan State University, Radiology Building, 184 Service Road, East Lansing; Friday, February 22, 10:30 a.m., Alma College, Tyler-Van Dusen Campus Center, 614 W. Superior Street, Alma; Monday, February 25, 10:00 a.m., Grand Valley State University, Cook-DeVos Center for Health Sciences, 301 Michigan Street NE, Grand Rapids; and Monday, March 3, 10:00 a.m., University of Michigan-Dearborn, Institute for Advanced Vehicle Systems Building, 4901 Evergreen Road, Borg Warner Auditorium, Dearborn (373-2768)

K-12, School Aid, Education - Tuesdays, February 19, February 26, March 4 and March 11, 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

State Police and Military Affairs - Wednesday, February 6, 2:00 p.m., Room 100, Farnum Building (CANCELED); and Thursday, February 14, 9:00 a.m., Rooms 402 and 403, Capitol Building (373-2768)

Energy Policy and Public Utilities - Thursday, February 7, 1:00 p.m., Room 210, Farnum Building (373-7350)

Health Policy - Wednesday, February 6, 3:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-0793)

Judiciary - Tuesday, February 5, 1:00 p.m., Room 210, Farnum Building (373-6920)

SCHEDULED MEETINGS	SCHEDULED MEETINGS
Legislative Commission on Statutory Mandates - Wednesday, February 13, 2:00 p.m., Room 210, Farnum Building (373-0212)	Natural Resources and Environmental Affairs - Wednesday, February 6, 1:00 p.m., Room 110, Farnum Building (373-3447)

BILLS IN CONFERENCE					
Bill No.	Brief Title	Conferees		Report Agreed to	
		Senate	House	Senate	House
SB 220	Appropriations; zero budget; supplemental appropriations; provide for fiscal year 2006-2007.	Bishop Jelinek Switalski	Tobocman Cushingberry Acciavatti		